

#### **IC 6-1.1-20.4**

##### **Chapter 20.4. Local Homestead Credits**

#### **IC 6-1.1-20.4-1**

##### **"Homestead"**

Sec. 1. As used in this chapter, "homestead" has the meaning set forth in IC 6-1.1-20.9-1.

*As added by P.L.246-2005, SEC.61.*

#### **IC 6-1.1-20.4-2**

##### **"Property tax liability"**

Sec. 2. As used in this chapter, "property tax liability" means liability for the tax imposed on property under this article determined after application of all credits and deductions under this article, except the credit under this chapter, but does not include any interest or penalty imposed under this article.

*As added by P.L.246-2005, SEC.61.*

#### **IC 6-1.1-20.4-3**

##### **"Revenue"**

Sec. 3. As used in this chapter, "revenue" includes revenue received by a political subdivision under any law or from any person.

*As added by P.L.246-2005, SEC.61.*

#### **IC 6-1.1-20.4-4**

##### **Requirement for credit; adoption of ordinance or resolution**

Sec. 4. (a) A political subdivision may adopt an ordinance or resolution each year to provide for the use of revenue for the purpose of providing a homestead credit the following year to homesteads. An ordinance must be adopted under this section before December 31 for credits to be provided in the following year. The ordinance applies only to the immediately following year.

(b) A homestead credit under this chapter is to be applied to the net property tax liability due on the homestead.

(c) A homestead credit under this chapter does not reduce the basis for determining the state property tax replacement credit under IC 6-1.1-21 or the state homestead credit under IC 6-1.1-20.9.

*As added by P.L.246-2005, SEC.61.*

#### **IC 6-1.1-20.4-5**

##### **Calculation of credit**

Sec. 5. An ordinance or resolution adopted under this chapter must provide for a homestead credit that is either a uniform:

- (1) percentage of the net property taxes due on the homestead after the application of all other deductions and credits; or
- (2) dollar amount applicable to each homestead.

The ordinance or resolution must specify the percentage or the dollar amount.

*As added by P.L.246-2005, SEC.61.*

**IC 6-1.1-20.4-6****Credit applicable only to homestead**

Sec. 6. If the credit under this chapter is authorized for property taxes first due and payable in a calendar year, a person is entitled to a credit against the person's property tax liability for property taxes first due and payable in that calendar year attributable to the person's homestead located in the county.

*As added by P.L.246-2005, SEC.61.*

**IC 6-1.1-20.4-7****Exemption from filing requirement**

Sec. 7. A person is not required to file an application for the credit under this chapter. The county auditor shall:

- (1) identify qualified homesteads in the political subdivision that are eligible for the credit under this chapter; and
- (2) apply the credit under this chapter to property tax liability on the identified homestead.

*As added by P.L.246-2005, SEC.61.*

**IC 6-1.1-20.4-8****Adjustment of distributions to reflect credit**

Sec. 8. If an ordinance or resolution is adopted under this chapter, the county auditor shall, for the calendar year in which a homestead credit is authorized under this chapter, account for the revenue used to provide the homestead credit in a manner so that no other political subdivision in the county suffers a revenue loss because of the allowance of the homestead credit.

*As added by P.L.246-2005, SEC.61.*

**IC 6-1.1-20.4-9****Limitations on recovering lost revenue**

Sec. 9. The application of the credit under this chapter results in a reduction of the property tax collections of the political subdivision which provided the credit. A political subdivision may not increase its property tax levy to make up for that reduction.

*As added by P.L.246-2005, SEC.61.*